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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/687,219	10/15/2003	Calvin Wang	021756-002700US	8072
51206 7590 04/15/2008 TOWNSEND AND TOWNSEND AND CREW LLP TWO EMBARCADERO CENTER 8TH FLOOR SAN FRANCISCO, CA 94111-3834				
EXAMINER				
MOUZON, LAJUANIA N				
ART UNIT		PAPER NUMBER		
2153				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/687,219

Applicant(s)

WANG ET AL.

Examiner

La Juania N. Mouzon

Art Unit

2153

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 January 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-946)
- 3) ☐ Information Disclosure Statement(s) (PTO/SG/US)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

1. This Office Action is in response to Applicant's Amendment filed 1/25/2008.

Claims 1-25 are pending.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-25 are rejected under 35 U.S.C. 102(e) as being anticipated by Gifford et al. (US 6,549,612).
4. In regards to claim 1 Gifford et al. discloses, a method for messaging with devices in order to determine one or more actions to perform, the method comprising:
- a. storing information associated with a message, the stored information comprising action information corresponding to the one or more actions that enables applications to perform the one or more actions (**Col. 4 line(s) 44-56, 61-67**);
 - b. sending a message to a device (**Col. 4 line(s) 46-49, 61-63, Col. 6 line(s) 25-28**), the message including a message identifier generated to uniquely identify

the message and one or more action identifiers corresponding to the one or more actions (**Col. 6 line(s) 47-61, Col. 7 line(s) 7-10**);

c. receiving a response message from the device determining the message identifier from the received message (**Col. 5 line(s) 14-19**);

d. determining an action identifier in the one or more action identifiers from the received message (**Col. 5 line(s) 14-19**);

e. the retrieving stored information associated the message using the message identifier received in the response message from the device (**Col. 5 line(s) 19-21**);

f. determining action information in the stored information corresponding to an action in the one or more actions using the action identifier (**Col. 5 line(s) 14-23**); and

g. performing the action using the action information (**Col. 5 line(s) 19-23**).

5. In regards to claims 2, 9, 18, and 25 Gifford et al. discloses, wherein the action information comprises information compatible with a web-based application, wherein the web-based application is used to perform the action (**Col. 4 line(s) 50-52, Col. 6 line(s) 63-66**).

6. In regards to claim 3 Gifford et al. discloses, wherein the sent message comprises a text-based message and the response message comprises a text-based

message (**Col. 14 line(s) 60-65**).

7. In regards to claims 4 and 14 Gifford et al. discloses, sending a result of the performed action to the device (**Col. 5 line(s) 19-23**).

8. In regards to claim 5 Gifford et al. discloses, determining information indicative of the device based on the response message (**Col. 7 line(s) 11-19, Col. 8 line(s) 55-61, Col. 9 line(s) 26-30**); and wherein retrieving the stored information associated the message comprises determining the stored information in response to the message identifier and the information indicative of the device are used to determine the stored information (**Col. 5 line(s) 19-21**).

9. In regards to claim 6 Gifford et al. discloses, wherein the device information comprises at least information specific to the device and information specific to a user associated with the device (**Col. 14 line(s) 54-63**).

10. In regards to claims 7 and 22 Gifford et al. discloses, wherein the device comprises a mobile device (**fig. 3, Personal Digital Assistant, WAP Enabled Digital Phone, Personal Computer**).

11. In regards to claim 8 Gifford et al. discloses, a method for messaging with devices in order to determine one or more actions to perform, the method comprising:

- h. generating information identifying one or more actions performed by applications (**Col. 4 line(s) 52-59, Col. 6 line(s) 47-56, 62-67 – Col. 7 line(s) 1-5, fig. 2**);
- i. storing information that enables the one or more actions to be performed by the applications (**Col. 4 line(s) 44-56, 61-67**);
- j. generating a message identifier that uniquely identifies a message to be send to a device (**Col. 6 line(s) 47-52, 57-58**);
- k. generating a mapping between message identifier and the information that enables performance of the one or more actions by the applications (**Col. 4 line(s) 45-57, Col. 5 line(s) 14-19**);
- l. sending the message to the device (**Col. 4 line(s) 46-49, 61-63, Col. 6 line(s) 25-28**), the message including the message identifier generated to uniquely identify the message and the information identifying the one or more actions (**Col. 6 line(s) 47-61, Col. 7 line(s) 7-10**);
- m. receiving a text message from the device (**Col. 5 line(s) 14-19, Col. 14 line(s) 60-65**), the text message including the message identifier and information identifying a desired action in the one or more actions (**Col. 5 line(s) 14-19**);
- n. retrieving, in response to the mapping between the message identifier, stored information that enables the desired action to be performed using the information specifying the desired action received in the text message (**Col. 5 line(s) 19-21, Col. 14 line(s) 60-65**); and

- o. causing the determined action to be performed using the stored information that enables the desired action to be performed (**Col. 5 line(s) 19-23**).
- 12. In regards to claim 10 Gifford et al. discloses, wherein the web-based information comprises a URL (**Col. 6 line(s) 25-27**).
- 13. In regards to claim 11 Gifford et al. discloses, wherein the sent message comprises a plain-text message (**Col. 14 line(s) 60-65**).
- 14. In regards to claim 12 Gifford et al. discloses, wherein the text message comprises a plain-text message (**Col. 14 line(s) 60-65**).
- 15. In regards to claim 13 Gifford et al. discloses, determining information indicative of the device and a user associated with the device (**Col. 7 line(s) 11-19, Col. 8 line(s) 55-61, Col. 9 line(s) 26-30**); and wherein determining the stored information comprises determining the stored information in response to the information indicative of the device and the user associated the device (**Col. 5 line(s) 19-21**).
- 16. In regards to claim 15 Gifford et al. discloses, a device for generating and processing messages to determine actions to perform, the device comprising:
 - p. a message generator configured to generate a message identifying one or more actions and to send the generated message to a device (**Col. 4 line(s) 52-**

59, Col. 6 line(s) 47-56, 62-67 – Col. 7 line(s) 1-5, fig. 2), the message including a message identifier generated to uniquely identify the message **(Col. 6 line(s) 47-61, Col. 7 line(s) 7-10);**

q. an information storer configured to store information associated with the identified one or more actions performed by applications **(Col. 4 line(s) 52-59, Col. 6 line(s) 47-56, 62-67 – Col. 7 line(s) 1-5, fig. 2);**

r. a receiver configured to receive a response message from the device, wherein the response message is indicative of the message identifier and an action in the one or more actions identified in the message sent to the device **(Col. 5 line(s) 14-19);**

s. an action determiner configured to retrieve at least a portion of stored information for the identified action in response to the message identifier received in the response message **(Col. 5 line(s) 14-23);** and

t. an action performer configured to cause the action to be performed using the determined stored information **(Col. 5 line(s) 19-23).**

17. In regards to claim 16 Gifford et al. discloses, wherein the generated message comprises a text message **(Col. 14 line(s) 60-65).**

18. In regards to claim 17 Gifford et al. discloses, wherein the response message comprises a text message **(Col. 14 line(s) 60-65).**

19. In regards to claim 19 Gifford et al. discloses, wherein the action determiner determines the stored information using at least the message identifier for the response message to and information specific to the response message (**Col. 5 line(s) 14-19**).

20. In regards to claim 20 Gifford et al. discloses, wherein the information specific to the response message comprises information specific to a user (**Col. 5 line(s) 14-19**).

21. In regards to claim 21 Gifford et al. discloses, a system configured to perform actionable messaging, the system comprising:

- u. one or more devices (**fig. 3 and 4**);
- v. an application configured to perform actions (**fig. 2, Col. 4 line(s) 52-55**);
and
- w. an actionable message device configured to communication with the one or more devices and the application (**fig. 3 and 4**), the device comprising:
 - i. a message generator configured to generate a message identifying one or more actions and to send the generated message to a device (**Col. 4 line(s) 52-59, Col. 6 line(s) 47-56, 62-67 – Col. 7 line(s) 1-5, fig. 2**), the message including a message identifier generated to uniquely identify the message (**Col. 6 line(s) 47-61, Col. 7 line(s) 7-10**);
 - ii. an information storer configured to store information associated with the identified one or more actions performed by applications (**Col. 4 line(s) 52-59, Col. 6 line(s) 47-56, 62-67 – Col. 7 line(s) 1-5, fig. 2**);

iii. a receiver configured to receive a response message from the device, wherein the response message is indicative of the message identifier and an action in the one or more actions identified in the message sent to the device (**Col. 5 line(s) 14-19**);

iv. an action determiner configured to retrieve stored information for the identified action in response to the message identifier received in the response message (**Col. 5 line(s) 14-23**); and

v. an action performer configured to cause the application to perform the identified action using the determined stored information for the identified action (**Col. 5 line(s) 19-23**).

22. In regards to claim 23 Gifford et al. discloses, wherein the mobile devices are configured to receive messages exclusive of web-based messages (**fig. 3, Col. 14 line(s) 54-56, 66-67 – Col. 15 line 1-2**).

23. In regards to claim 24 Gifford et al. discloses, wherein the mobile devices are configured to send messages exclusive of web-based messages (**fig. 3, Col. 14 line(s) 54-56, 66-67 – Col. 15 line 1-2**).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to La Juania N. Mouzon whose telephone number is 571-

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270-3045. The examiner can normally be reached on Monday - Friday 8:00-5:00, 1st Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenton Burgess can be reached on 571-272-3949. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Glenton B. Burgess/
Supervisory Patent Examiner, Art Unit 2153

LNM